

JAMERE MOORE,

Plaintiff,

V.

DANA A. PHILLIPS, CEO of Medical  
Department of Allegheny County Jail,

Defendant.

Civil Action No. 09 - 1409

Judge Nora Barry Fischer  
Magistrate Judge Lisa Pupo Lenihan

# MEMORANDUM ORDER

The above captioned case was initiated by the filing of a Motion to Proceed In Forma Pauperis on June 8, 2007, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on July 12, 2010 (ECF no. [17]), recommending that the motion to dismiss filed by Defendant Dana Phillips (ECF no. [9]) be denied.

The parties were served with the Report and Recommendation and advised that they had fourteen days (until July 29, 2010) within which to file objections to the Report and Recommendation. No objections have been filed.

After *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

**AND NOW**, this 30<sup>th</sup> day of July, 2010;

**IT IS HEREBY ORDERED** that the motion to dismiss filed by Defendant Dana Phillips (ECF no. [9]) is **DENIED**.

**IT IS FURTHER ORDERED** that the Report and Recommendation (ECF no. [17]) dated July 12, 2010, is adopted as the Opinion of the Court.

By the Court:

Nora Barry Fischer

United States District Judge

cc/ecf: Magistrate Judge Lisa Pupo Lenihan

Jamere Moore, 117551  
Allegheny County Jail  
950 Second Avenue  
Pittsburgh, PA 15219-3100

Stanley A. Winikoff, Esquire